Analyzing Legislative Proposals
Overview

• Prepare for yearly legislative proposals
• Understand who can propose a bill
• Determine the purpose of the bill
• Receive guidance on how to analyze a bill
• Learn how to evaluate the fiscal impact
• Glean tips to consider when evaluating a proposal
Preparation 101

• Daily/weekly search for bills
• Understand the legislative process
• Agency's policy on your involvement and communication
• Committee and committee members
• Develop and utilize foundational relationships
Originates from Outside the Agency

• Special interest group
• Consumer group
• Trade associations
• Another agency
• Prior awareness of proposal
Purpose

• What problem is the proposal trying to solve?
• Does the proposal solve the problem?
• What is the goal of the proposal?
Analyze

• What are the strengths and weaknesses of the proposal?
• Companion bill proposal?
• Who benefits/is negatively impacted by proposal?
• Loopholes with the language?
• Is the language ambiguous?
• Are there unintended consequences?
• Does this create conflicting laws?
Fiscal

• Is a funding mechanism provided?
• Compare any numbers with previous fiscal analysis provided for consistency?
• Any new or costly equipment, supplies, or resources needed above normal costs?
• Will proposal impact current work?
• Allows for authority to collect fees?
• How much staff will be needed?
• What type of staff resources?
• Impact statement on those the bill applies to?
Tips

Examine language carefully in proposal

- “Shall” / “may”
- “And” / “or”
- “Including” / “such as”
- “Subject to”
- “Providing that”
- “Notwithstanding”
Tips

• What is the significance of the numbers in the proposal
• Create new mark up of statute to visualize
• Is there a regulatory solution to proposal in lieu of statutory change
• Offer alternative language
• Opportunity to update other code section
• Look at the proposal as an opportunity
In Closing

• Keep current and don’t be blindsided
• Understand the purpose and intent
• Understand the context
• Understand the fiscal impacts
• Look for opportunities within or as a result of the proposal
• Be thorough! Check cross-references and compare to existing law.